

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 1:08 CR 524-1
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
JEFFREY SCOTT BROWN,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT AND</u>
)	<u>REFERRAL TO U. S. PROBATION</u>
Defendant)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge James Kenneth S. McHargh regarding the change of plea hearing of , which was referred to the Magistrate Judge with the consent of the parties.

On December 29, 2008, the government filed a one count Information, charging Defendant, Jeffrey Scott Brown, with Digital Millennium Copyright Act in violation of Title 17 United States Code, Section 1201(a)(2)(A) and 1204(a). On January 26, 2009, Defendant Brown was arraigned and entered a plea of guilty before Magistrate Judge Kenneth S. McHargh of guilty to count 1 of the Information. Magistrate Judge Kenneth S. McHargh issued a Report and Recommendation (“R&R”) concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Brown is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Brown is adjudged guilty to Count 1 of the Information, in violation of Title 17 United States Code, Section 1201(a)(2)(A) and 1204(a). This matter is referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on April 29, 2009, at 11:00 a.m. in Courtroom 17-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE